

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Case No. _____

(to be filled in by the Clerk's Office)

Michelle M. Torrey and Christian Soares
Plaintiff(s) POA Michelle M. Torrey

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

United States of America

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Michelle M. Torrey pro se

Street Address

294 Prospect Street

City and County

Brockton,

State and Zip Code

MA 02301

Telephone Number

(508) 326-3157

E-mail Address

m.torreyre@comcast.net

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name

F. B. I United States of America

Job or Title (if known)

Street Address

201 Maple Street

City and County

Chelsea, MA. 02150

State and Zip Code

Telephone Number

857 386 2000

E-mail Address (if known)

Defendant No. 2

Name

A. T. F

Job or Title (if known)

1550 Main Street Suite 317

Street Address

Springfield, MA 01103

City and County

State and Zip Code

Telephone Number

(413) 731-6200

E-mail Address (if known)

Defendant No. 3

Name

Brockton Police Dept

Job or Title (if known)

Street Address

7 Commercial Street

City and County

Brockton, MA. 02302

State and Zip Code

Telephone Number

(508) 941-0200

E-mail Address (if known)

Defendant No. 4

Name

State Police Dept.

Job or Title (if known)

Street Address

1 Ashburton Place

City and County

Boston, MA. 02108

State and Zip Code

Telephone Number

(617) 727-2917

E-mail Address (if known)

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II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

U.S.C.A. § 24(2)(d)(i) A, U.S.C.A. Constitutional Amendment 4; U.S.C.A. Amendment 5, 31 U.S.C.A. § 5317, 19 U.S.C.A. § 1615, 18 U.S.C.A. § 983(c), U.S.C.A. Const. Amend 8, 18 U.S.C. § 983(c). Violation of Civil Asset Forfeiture Reform Act of 2000, U.S.C.A. Amend 5, 28 U.S.C.A. §§ 1345, 1355, Violation of Federal Rules of Evidence 404 (b) and 403, 21 U.S.C.A. § 881, 28 U.S.C.A. § 2412, 42 U.S.C.A. § 1983

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the (i) in its State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

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b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

in addition to emotional and financial harm to claimant. 148,820 plus damages to real property, The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

The Government is illegally withholding 62,820.00 from claimant that made claim during illegal search and seizure and showed proof of origin and provided legal paper work to support Government had no right to take money as it was honest money. Claimant showed source of money HUD settlement sheet. Claimant and claimant Attorney was denied access to home to watch illegally obtained warrant. Law Enforcement stole 85,000 not logged in on property sheet and personal property jewelry was also stolen. Law enforcement also caused physical damage to property. Total loss of Consortium and caused financial ruin and ability to earn a living. \$148,820.00

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Michelle M. Torrey is owed \$148,820.00 in addition to 6,000.00 taken from bedroom and room off bedroom hidden in various locations. Jewelry stolen include diamond tennis bracelet, engagement ring, various gold chains with pendants. In 2023 my real estate license was not renewed due to unpaid taxes which claimant cannot pay due to Government holding money hostage and not affording claimant with a forfeiture hearing for over 3 years 9 months.

IV. Relief

I have PTSD from this event and this event has caused damage to my reputation and ability to work. Claimant is looking to litigate matter on each merit and is asking court for immediate return of monies and items. State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any and 500,000 damages. punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff ask that 62,820.00 currency immediately be returned with interest as well as the 85,000.00 Law Enforcement stole from her home as a probation violation warrant for my son turned into complete disregard for rule of law and allowed law enforcement acting outside of their role obtain an illegal search warrant which was then the vehicle for law enforcement to plant evidence and steal from me and my family. They seized lawful assets and I saw and have witnesses whom said agents bring drugs into my home. Complete loss of consortium and all assets will be presented

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In a court of law. The claimant has multiple videos showing violations and misconduct of law enforcement. In addition surveillance system was taken from home which will also support claim of 4th, 5th, 8th, 16th amendment violations. The harm caused by this egregious acts of law enforcement under the color of law acting outside of their duty is clear and present once evidence is presented to the court.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: April 3, 2024

Signature of Plaintiff

Printed Name of Plaintiff

Michelle M. Torrey pro se
Michelle M. Torrey pro se

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

294 Prospect Street
Brockton, MA 02301
(508) 326-3157
m.torreyre@comcast.net